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SUBCOMMITTEE ON COMMERCE, TRADE, AND CONSUMER PROTECTION
COMMITTEE ON ENERGY AND COMMERCE
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Chairman Stearns, Congresswoman Schakowsky, and Members of the Subcommittee, thank you for the opportunity to appear before you today to discuss reauthorization of the motor vehicle safety programs of the National Highway Traffic Safety Administration (NHTSA).

I want to express my appreciation for this Subcommittee's longstanding support of motor vehicle safety programs. Transportation safety is a top priority for Secretary Mineta and President Bush. Your work has allowed NHTSA to advance motor vehicle safety. We are grateful to this Subcommittee for its continuing leadership and for scheduling this hearing.

NHTSA's mission is to save lives and prevent injuries. Motor vehicle crashes are responsible for 95 percent of all transportation-related deaths and 99 percent of all transportation-related injuries. They are the leading cause of death for Americans in the age group 3 through 33. In 2003, the last year for which we have complete data, 42,643 people were killed in motor vehicle crashes. The economic costs associated with these crashes also seriously impact the Nation's fiscal health. The annual cost to our economy of all motor vehicle crashes is $230.6 billion in Year 2000 dollars, or 2.3 percent of the U.S. gross domestic product.

The motor vehicle safety law vests NHTSA with the authority and responsibility to issue motor vehicle safety standards for new motor vehicles and equipment that are performance-based, objective, practicable, and repeatable, and that advance real world safety. These standards reduce the number of motor vehicle crashes and minimize the consequences of crashes that do occur.

The safety improvements in vehicles have been significant since NHTSA's inception in the 1960s. We estimate that total lives saved by vehicle technologies number about 330,000, over half of which are attributable to safety belts. Today, there is much agency and public attention devoted to vehicle safety standards, yet over 90 percent of crashes are caused by human factors, such as inattention, speeding and physiologic impairment. The largest gains in highway safety yet to be realized are in the human factors area, including how drivers interact with their vehicles. Relatively few lives will be saved in the future by continuing a traditional focus on vehicle crashworthiness. We must devote our agency's resources where they can reduce the safety problem most effectively. And we must prioritize our rulemaking and research activities in accordance with that principle. To do otherwise would be irresponsible stewardship of public resources and the public's welfare.

When I came before this committee last year, I spoke of the publication, in 2003, of the first ever NHTSA multi-year vehicle safety rulemaking priority plan. Early this year we updated the plan, and it now sets forth the agency's rulemaking goals through 2009. The rulemaking and supporting research priorities were defined through extensive discussions within the agency, taking into account the views we have heard over several recent years at public meetings and in response to rulemaking notices and requests for comment. We prioritized potential new rules and upgrades of existing rules according to the size and severity of the problems they address, and the best educated estimates of the cost and effectiveness. The agency works closely with Congress and the public to define our priorities.

We intend for our rulemaking priority plan to be a living document, and will continue to update it annually. In addition, we are committed to reviewing all Federal Motor Vehicle Safety Standards systematically over a 7-year cycle. We decided that such a review is needed in light of changing technology, vehicle fleet composition, safety concerns and other issues that may require changes to a standard. Our regulatory reviews are in keeping with the goals of the Government Performance and Results Act, to ensure that our rulemaking actions produce measurable safety outcomes.

Because of this careful process, and the need to make these decisions based on current data, the Administration is opposed to legislatively mandated rulemaking actions that displace deliberative research and regulatory actions. The process that we have developed will produce the best and most cost-effective solutions to our most critical safety needs. The imposition of deadlines and mandated requirements can preclude the completion of necessary research and force premature judgments or the adoption of incomplete or only partially developed solutions.

Furthermore, we have seen proposed mandates with technical elements that have not proven viable. Several decades of vehicle safety rulemaking have demonstrated that quality data and research produce regulations that are technically sound, practicable, objective, and repeatable. Our rulemaking priority plan was carefully considered, in the context of concomitant research needs, and I ask for your support in our pursuit of its objectives.

The overall safety priorities set by our agency at the outset of this Administration are increasing safety belt use, reducing impaired driving, addressing vehicle crash incompatibility, reducing rollovers, and enhancing our data systems. In 2003, we carefully studied these objectives and developed and published a roadmap for achieving them. This Subcommittee has jurisdiction over the motor vehicle safety law, which is central to our objective of reducing deaths and injuries associated with crash incompatibility and rollover.

NHTSA’s priority rulemakings for the immediate future include enhanced side crash protection, preventing occupant ejection in rollovers, electronic stability control systems, and upgrading our standards relating to roof crush and door locks. Our longer-term research priorities include a number of potential advances in crash avoidance driver-assist technologies and addressing vehicle incompatibility in frontal crashes. We have integrated our rulemaking priority plan and our research plan to ensure that, as rulemaking becomes necessary to advance safety in the future, we have the research to support it.

In all of our efforts, we recognize the vital role that complete and precise data play in identifying safety problems. With that in mind, we have evaluated the important advances that electronic data recorders can add to our crash data and our ability to assess safety needs and benefits, and we are completing a final rule to address these devices that we intend to publish this Fall.

I would like to turn, now, to a discussion of some of the specific actions we are taking in accord with our rulemaking priority plan, against the backdrop of the safety problems we must address.

Of the 33,471 passenger vehicle occupants killed in 2003, more than 9,000 were killed in side impacts. In side impacts involving two-passenger vehicles, an occupant of the struck vehicle was about 8 times more likely to have been killed than an occupant of the striking vehicle. It's not hard to see why preventing deaths and injuries in side-impact crashes is one of our highest priorities.

In May 2004, we published a notice of proposed rulemaking to upgrade our side-impact standard. We estimate that this upgrade will prevent many hundreds of deaths annually in these types of crashes. We are now developing the final rule and hope to publish it in early 2006.

The growing popularity over the past ten years of light trucks, vans, and utility vehicles (LTVs) has changed the mix of vehicles in the fleet and the safety picture. More vehicle occupants are being killed in crashes between passenger cars and light trucks than in crashes involving only passenger cars. Passenger car occupants are over three and one-half times more likely to die than LTV occupants in crashes between the two vehicle types, both in front-to-front and in side impact crashes.

NHTSA's 2003 integrated project team plan outlined our strategy of addressing the issue of compatibility through partner-protection, self-protection, lighting/glare and reforms to the Corporate Average Fuel Economy program. We expect our upgraded side impact standard to provide increased protection for occupants in vehicles struck by other vehicles, and NHTSA is conducting research to determine good measures of vehicle compatibility and alternative test barriers to improve protection of occupants of struck vehicles.

Rollover crashes account for a substantial percentage of the fatal crashes in the country. Even though only 2.5 percent of crashes are rollovers, over 10,000 people die each year in rollovers. This is almost a third of all passenger vehicle occupant fatalities and about 60 percent of sport utility vehicle (SUV) occupant fatalities. The data show that nearly half of all rollover deaths are the result of ejection from a vehicle, and nearly all of these occupants are unbelted.

We added dynamic testing of vehicles as part of our rollover resistance rating system in accordance with the Transportation Recall Enhancement, Accountability, and Documentation (TREAD) Act. Testing and reporting of those results began with 2004 model year vehicles as part of our New Car Assessment Program (NCAP).

We have already noticed improvements in vehicle designs and in safety ratings. Manufacturers strive to obtain high safety ratings under NCAP, because so many consumers rely on this information in making their vehicle purchasing decisions. We have seen an increase in vehicle manufacturers using NHTSA's star-rating information in their product advertising. An informed public will be an effective catalyst for improved rollover resistance. NHTSA's new web site, www.safercar.gov, enhances the consumer's access to this safety information.

To improve the crashworthiness of vehicles that do roll over in a crash, we are working on improved ejection mitigation and roof crush protection. Even as NHTSA is upgrading our side impact standard, all of the major automobile manufacturers have committed over time to ensure that their vehicles meet certain testing criteria for side impacts. Those testing criteria are intended to encourage the installation of side airbag curtains that protect against brain injury in side impact crashes. An additional benefit of many side airbag curtains is that they prevent potentially lethal ejections.

In addition to the attention we are giving our rollover and compatibility priorities, we also intend to bring to Congress some additional important safety initiatives. We believe the Secretary of Transportation should be authorized to participate and cooperate in international activities to enhance motor vehicle and traffic safety. This would provide for NHTSA's participation and cooperation in international activities aimed at developing the best possible global safety research and technical regulations. Through participation in these international efforts, the United States will combine its motor vehicle safety initiatives with those of other countries, to ensure a comprehensive approach to motor vehicle safety and to promote cost-effective deployment of safety technologies.

A second area is our need to expand activities in crash prevention and severity reduction. The most significant vehicle safety initiatives in the future will be based on technology that avoids crashes, rather than our traditional emphasis on crashworthiness. This would include evaluations of crash avoidance technologies such as electronic stability control, telematics, alternative braking, vision enhancement systems, lane keeping systems, and collision avoidance systems.

We anticipate that our research into these and other driver assistance technologies will reach significantly beyond the scope of current agency research and development activities. The rapid advances in these technologies will radically change the design and performance of automobiles over the next 10 years and, coupled with the aging driver population, present unique research challenges in human factors engineering. Our goal is to hasten the introduction of vehicle-based driver assistance technologies into the marketplace while ensuring their safe performance across all demographics, through the development of standards, voluntary guidelines, and consumer information. In doing so, we will have to be mindful that with the proliferation of new technologies comes the potential for increased driver distraction.

A third area is our need to engage in research and development in fuel integrity of hydrogen powered vehicles. This includes risk assessment studies and the development of test and evaluation procedures, performance criteria, and suitable countermeasures.

This safety initiative would support the President's Hydrogen Fuel Initiative and the FreedomCAR Program. In particular, the research program would investigate the safety of the power train, the vehicle fuel container and delivery system, the onboard refueling system, and the full vehicle system performance. This research would evaluate leak detection systems, determine the effectiveness of safety systems, assess fire potential and flammability, and evaluate external hazards to these systems. The onboard refueling system related research and performance tests would evaluate fuel leakage, examine sparking and grounding conditions of the refueling system, and examine conditions under which fire could occur.

I would like to take a moment now to highlight NHTSA's important and continuing role in the delivery of Emergency Medical Services (EMS). For more than 3 decades, longer than any other Federal agency, NHTSA has been the Federal Government's leader for EMS. Our first Administrator, Dr. William Haddon, had a vision for EMS systems before they existed, and recognized that caring for the injured would be essential to decreasing the number of highway deaths. He also realized, as we still do today, that the only sustainable EMS system is one that addresses all emergencies. As EMS grew to include caring for people with non-traffic-related injuries, NHTSA created an informal Federal interagency EMS structure, partnering with the Departments of Health and Human Services and Homeland Security, and national EMS organizations to provide the leadership, coordination, and policy guidance to enhance the national EMS system.

The needs of a comprehensive EMS system surpass the expertise or funding of any one agency. This is why I urge you to adopt the Administration's proposal, as contained in the Senate's version of H.R. 3, which would create a formal, ongoing mechanism with the authority to coordinate Federal EMS activities. Such a committee, dubbed "FICEMS" (for Federal Interagency Committee on Emergency Medical Services) would not only allow, but require EMS to continue to tap the expertise and the resources of multiple departments.

Creating FICEMS avoids duplication, assures consistency of mission, and maximizes the use of limited resources. Through the proposed EMS grant program, which is also in the Senate bill, each State's EMS office would receive formula grant funds for improving the capacity of the entire EMS system. This would not duplicate funding provided by other agencies, but would be the primary funding to support the basic EMS infrastructure that these segments utilize.

Since 1966, NHTSA and the Department of Transportation have been at the forefront of the Federal Government's efforts to support every portion of the EMS system. I ask members of this Committee to continue NHTSA's commitment to EMS for the next decades.

Finally, I want to bring up a topic that is not within the jurisdiction of this Subcommittee, yet vital to saving lives. There is a provision in the Senate version of H.R. 3 that will save over 1,200 lives a year, and do it faster and cheaper than any other proposal you will consider in this Congress, and perhaps in this decade. If the intent of this hearing is to hear what can NHTSA do now that will immediately save lives, this is a provision I strongly urge the House to adopt.

I am referring to the Administration's proposal, passed by the Senate but not in the House bill, which would provide incentives to the States to enact primary safety belt laws or reach 90

percent safety belt usage. Why are primary safety belt laws important? Because States that enact a primary safety belt law can expect to see their safety belt use numbers rise by approximately 11 percentage points practically overnight. If all States adopted a primary belt law, we would prevent 1,275 deaths and 17,000 serious injuries every year. No other safety proposal I am aware of before Congress would save more than 1,200 people annually at practically no cost.

Consider that NHTSA recently completed the 15 rulemakings related to the TREAD Act. The actions associated with that law cost consumers $1.2 billion and took years to promulgate. In total, that law will save 120 lives annually. In comparison, if the remaining States enacted a primary belt law, we would save ten times as many lives annually, by utilizing a device already in the car, at no cost to the consumer.

It is one of the paradoxes of Congressional jurisdiction that this committee oversees the equipping of safety belts in vehicles, but not their use. There is no benefit to equipping vehicles with safety belts unless they are worn. I want to stress that this proposal provides incentives to the States, not sanctions. No State would be penalized for not adopting a primary belt law.

Mr. Chairman, if the members of this Subcommittee want to save lives and do it now, and I know every Member here shares that goal, I urge you and your colleagues to adopt the Senate language for primary belt incentives. No vehicle mandate, no elaborate rulemaking, no public relations campaign would save as many lives as Congress giving the States an incentive to pass primary belt laws.

I urge this Subcommittee to support all of these important safety initiatives and our rulemaking goals as outlined in our priority plan. I will be glad to answer any questions you may have.